

REMARKS

1. Application

Claims 1-39 remain in this application. The Figures and Specification have been amended to correct typographical errors. Applicants submit that these amendments are not narrowing amendments made for reasons of patentability. In view of the foregoing amendments and the remarks that follow, reconsideration and timely indication of allowance are respectfully requested.

The Patent Office objected to FIG. 1 as failing to comply with 37 CFR 1.84(p)(4) because reference character "124" was used to designate both a receiving and transmitting antenna. The Patent Office has requested a proposed drawing correction or corrected drawings. In response, Applicants submit herewith one (1) sheet of proposed drawing corrections to FIG. 1, in accordance with MPEP § 608.02(v), along with a separate letter to the Official Draftsperson pursuant to MPEP § 608.02(r). The proposed drawing corrections include a change of reference character from "124r" to "152r." The proposed drawing correction is shown in red on the separate sheet, in accordance with 37 CFR 1.121. Approval of the proposed drawing corrections is respectfully requested. Formal drawings incorporating the proposed corrections and in compliance with 37 CFR 1.84 will be filed after a Notice of Allowance is received.

The Patent Office has objected to FIG. 7 as failing to comply with 37 CFR 1.84(p)(5) because it includes the reference numbers 714, 722, 732, 724, 734 and 736, which are not mentioned in the specification. Applicants have amended the relevant portions of the specification to include these reference numbers.

Claims 1, 35 and 36 were rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite because the phrase “puncturing the plurality of coded bits . . . to provide a number of unpunctured coded bits” is allegedly unclear. The Patent Office has requested clarification regarding how puncturing a code can “provide” unpunctured bits. Such clarification is found in the specification, for example at p. 5, lines 2-4, which explains that “puncturing” a plurality of coded bits entails deleting some of the bits. The rest of the coded bits (i.e. those that were not deleted) may be considered “unpunctured” coded bits. Thus, puncturing a plurality of coded bits does “provide” unpunctured bits, i.e. those bits which remain after the puncturing.

Claims 1-39 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Li et al. (US 2002/0119781 A1) in view of various other references. The Examiner relies on Li et al. as a basis for all rejections of the claims. To sustain these rejections, however, the Examiner must establish that the subject matter claimed in the pending application was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent. 35 U.S.C. § 102(e). Submitted herewith is the Declaration of the inventors of the subject matter claimed in the above-identified application, pursuant to 37 CFR § 1.131. The inventors' Declaration is being submitted to eliminate the Li et al. publication as a reference against Applicants' patent application. The Li et al. application has a filing date of December 15, 2000. The inventor's Declaration sets forth facts sufficient to establish conception prior to the filing date of Li et al. coupled with diligence from a time just prior to the Li et al. filing date until Applicant's filing date. Exhibit “A” to the inventors' Declaration is a memorandum prepared by

Fuyun Ling prior to December 15, 2000. The memorandum describes exemplary embodiments of the inventive concept recited in claims 1-39. Accordingly, Li et al. is not prior art to these claims and is properly eliminated as a reference.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicant submits that this application is now in condition for allowance. Accordingly, reconsideration and allowance are respectfully requested. Should any issues remain unresolved which the Examiner believes could be resolved in a telephone interview, the Examiner is requested to telephone the Applicant's undersigned attorney.

Respectfully submitted,

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